



Department of Administrative Services  
 Division of Administrative Rules  
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<http://www.rules.utah.gov/>

# Service Plan

Fiscal Year 2008

The Department of Administrative Services delivers support services of the highest quality and best value to government agencies and the public. The Division of Administrative Rules facilitates excellence in governance by promoting agency compliance with the procedures of the Utah Administrative Rulemaking Act, enhancing universal access to state regulatory information, and promoting participation in the regulatory process. The Division is created by statute -- Section 63-46a-9.5. Its duties are specified in Section 63-46a-10, and other sections of Title 63, Chapter 46a. This Service Plan is prepared in compliance with Section 63A-1-111. Questions regarding the plan should be directed to Kenneth A. Hansen, Director, at 801-538-3764 or at [khansen@utah.gov](mailto:khansen@utah.gov).

What are the services we provide?		What are the methods used to provide each service?	What are the standards of performance for each service?	What performance measures are used to gauge compliance with the standards?
1. Document filing	<b>a) Administrative rule filing</b>			
	Agencies that need to engage in rulemaking must file their rules with the Division. (Section 63-46a-4)	Agencies use the Division's filing and publication software, <i>eRules</i> , to filing rules and other documents. The web-based software is available 24 x 7 allowing agencies the flexibility to file at any time, and from anywhere.	The <i>eRules</i> system is available when agencies need to file.	The system is up and available to rule filers 99.999% of the time.
	<b>b) Executive document filing</b>			
	The Governor's Office files executive orders and proclamations with the Division. Executive Orders must be filed with the Division to "have the full force and effect of law during the state of emergency." (Section 63-5a-7)	The Governor's Office may file executive orders and proclamations with the Division using <i>eRules</i> , or by e-mail.	The <i>eRules</i> system is available when the Governor's office needs to submit an executive document.	The system is up and available to rule filers 99.999% of the time.

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2. Publication of rules, and other executive branch notices	<b>a) Administrative rule publication</b>		
	The Division publishes agencies' administrative rules and related documents electronically.	The Division posts rules publications on its web site -- <a href="http://www.rules.utah.gov/">http://www.rules.utah.gov/</a> .	
	The <i>Utah State Bulletin</i> contains proposed rules, emergency rules, notices of five-year review and continuation, and other agency documents related to rulemaking in Utah (e.g., notices of hearing). (Subsection 63-46a-10(1)(d))	The Bulletin is issued on the 1st and 15th of each month. It is published at <a href="http://www.rules.utah.gov/publicat/bulletin.htm">http://www.rules.utah.gov/publicat/bulletin.htm</a> .	The Division posts the <i>Utah State Bulletin</i> on the Internet by 8 a.m. on the 1st and 15th of each month.
	The rules register records the receipt of all agency rules, rule analysis forms, and notices of effective date. The Division makes register available for public inspection. (Subsection 63-46a-10(1)(b) and (c))	The rules register is updated on the 1st and 15th of each month. It is posted at	The Division posts the rules register on the Internet by 8 a.m. on the 1st and 15th of each month.
	The <i>Utah State Digest</i> contains a summary of information published in the Utah State Bulletin (Subsection 63-46a-10(1)(f))	The <i>Digest</i> is issued on the 1st and 15th of each month. It is published on the Internet at <a href="http://www.rules.utah.gov/publicat/digest.htm">http://www.rules.utah.gov/publicat/digest.htm</a> . The Division also distributes the <i>Digest</i> using an e-mail ListServ. Individuals may subscribe by visiting the web address above and submitting their e-mail address..	The Division posts the <i>Utah State Digest</i> on the Internet and distributes via the ListServ by 8 a.m. on the 1st and 15th of each month.
	The <i>Utah Administrative Code</i> contains effective rules. (Subsection 63-46a-10(1)(e))	The <i>Code</i> is updated on the 10th of each month.	The Division posts the <i>Utah Administrative Code</i> on the Internet, as in effect on the 1st of the month, by the 10th of the month.
	The <i>Utah Administrative Rules Index of Changes</i> indexes effective rules, published annually. (Subsection 63-46a-10(1)(g))	The <i>Index of Changes</i> is published annually each spring.	The Division posts the <i>Utah Administrative Rules Index of Changes</i> on the Internet no later than April 1 each year.
	Electronic publications are made available to the public and to private publishers who may republish the content of publications to increase distribution.		

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2. Publication of rules, and other executive branch notices, continued	<b>b) Executive document publication</b>			
	The Division publishes all executive orders and proclamations that the Governor's Office sends to the Division.	Executive documents are published as part of the <i>Utah State Bulletin</i> . See "Administrative rule publication" above.	The Division posts the <i>Utah State Bulletin</i> , including executive documents, on the Internet by 8 a.m. on the 1st and 15th of each month.	Executive documents are published accurately and on time.
	<b>c) Publication of other administrative agency material</b>			
	The Division publishes meeting notices and other public notices submitted to it by administrative agencies.	Other administrative agency material is published as part of the <i>Utah State Bulletin</i> . See "Administrative rule publication" above.	The Division posts the <i>Utah State Bulletin</i> , including agency notices, on the Internet by 8 a.m. on the 1st and 15th of each month.	Agency notices are published accurately and on time.
	<b>d) Maintenance of Incorporation by Reference Library</b>			
	The Division maintains a library of materials that agencies have incorporated by reference into their rules. (Subsection 63-46a-3(7))	The library of materials incorporated by reference is available for public inspection at the Division's office.		The Division can respond to a request for incorporated material within two hours.
3. Maintenance of the Utah Administrative Code	<b>Administrative code repository</b>			
	The Division maintains and is the repository for the administrative code. (Section 63-46a-9.6)	The Division maintains the repository as a collection of word-processing files. If a dispute arises in which there is more than one version of a rule, the latest effective version on file with the Division is considered the correct, current version.	Historical copies of the administrative code are publicly available from the division's web site.	The Division maintains current and historical copies of the administrative code on its web site.

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4. Rulemaking Assistance to Agencies	a) Training			
	The Division offers rulemaking training geared toward different agency audiences:  <b>Beginning rulewriters:</b> a structured training program designed to familiarize new rulewriters with the procedural requirements of the Rulemaking Act and with the Division's filing application, <i>eRules</i> .  <b>Advanced rulewriters:</b> a free-form training program designed to allow more advanced rulewriters to explore aspects of the rulemaking process in more detail.  <b>Administrator training:</b> a formal presentation designed for mid, upper, and cabinet-level management offered on as-needed basis. It covers the legal and political need for rulemaking and the role of rulemaking in clarifying and limiting agency discretion. (Subsection 63-46a-10(1)(l))	Training is presented in a traditional classroom-lecture format.	The Division receives a score of 4.5 out of 5 or better on its post-training evaluation survey instruments.  The Division receives a score of 4.5 out of 5 or better on its semi-annual survey of agency rule filers.	Participant ratings of training and the trainer on post-training survey instruments.  Rule filers' rating of training available from the Division on the Division's semi-annual agency survey.
	b) Rulewriting Manual for Utah			
	The Division has prepared the <i>Rulewriting Manual for Utah</i> to help agencies understand the process and to serve as a reference. (Subsection 63-46a-10(l))	The Division posts the <i>Rulewriting Manual for Utah</i> on its web site at <a href="http://www.rules.utah.gov/agencyresources/manual.htm">http://www.rules.utah.gov/agencyresources/manual.htm</a> .		The Division updates the <i>Rulewriting Manual for Utah</i> as needed and maintains a current copy on its web site.
c) Rulemaking resources				
The Division provides <i>eRules</i> help and Frequently Asked Questions (FAQ) documentation to help agencies understand the rulemaking process.	Rulemaking resources (e.g., Frequently Asked Questions (FAQ) are posted on the Internet at <a href="http://www.rules.utah.gov/agencyresources/faq.htm">http://www.rules.utah.gov/agencyresources/faq.htm</a> .		The Division updates agency resources as needed and maintains a current copy on its web site.	

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4. Rulemaking Assistance to Agencies, continued	<b>d) Consultation</b>			
	The Division responds to questions and provides on-site consultation regarding the requirements of the Utah Administrative Rulemaking Act. (Subsection 63-46a-10(l))	Agencies may call the Division (801-538-3764) to discuss issues or schedule on-site consultation.		The Division responds to requests for consultation within one business day.
5. Procedural review of rules	<b>a) Procedural review of rule analyses and other rule forms</b>			
	Division staff review rule analyses (forms filed with proposed and emergency rulemaking) and other rule forms (such as the Five-Year Notice of Review and Statement of Continuation) to ensure that the responses provided by the agencies meet the minimum requirements of the Rulemaking Act and the rules under Title R15. This is a separate though related service from administrative rule publication in the <i>Utah State Bulletin</i> . (Subsection 63-46a-10(1)(m))	Traditional copy editing and proof reading techniques are used to identify typographical and grammatical errors. Division staff who are knowledgeable in the requirements of the Rulemaking Act and rules under Title R15 assess the content of the forms in light of those requirements. The Division corrects the most minor errors (e.g., correcting typographical errors, incomplete sentences), while it returns more serious issues to the agency for correction.	The Division returns 10% or fewer of rule filings to agencies for correction.	Number of administrative rule filing correction notices sent to agencies.
	<b>b) Procedural review of rule text</b>			
	The Division ensures that all changes in rule text submitted for publication in the <i>Utah State Bulletin</i> are correct (e.g., changes are correctly marked, underlying text matches text maintained by the Division, text is correctly formatted.) (Subsection 63-46a-10(1)(m))	A Division staff member assesses the text in terms of marking requirements found in statute and rule and in terms of formatting requirements found in the <i>Rulewriting Manual for Utah</i> . The Division assesses the consistency of filed text with Division-maintained text using a text comparison program. The Division returns rule text with substantive inconsistencies to the agency for correction.		Number of administrative rule filing correction notices sent to agencies.

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6. Agency notification of deadlines and events	<b>a) Notices of rules due for review</b>			
	The Division provides agencies with at least 180-days notice of rules due for review under the provisions of Subsection 63-46a-9(5).	The Division uses e-mail to notify agency managers and rule coordinators of rules due for review.	The Division notifies agencies of rules due for review 180-days in advance of the review due date.	The Division notifies agencies of rules due for review 180-days in advance of the review due date.
	<b>b) Notices of required rulemaking actions</b>			
	The Division reminds agencies of rules about to expire or rule filings about to lapse.	The Division uses e-mail to notify agency managers and rule coordinators of rules about to expire, and rules about to lapse.	The Division sends secondary (reminder) notifications one week in advance.	The Division sends appropriate reminder notices for lapsing and expiring rules in time for an agency to respond.

**What are the costs associated with each service?**

The Division does not charge for any of the services it provides. The Legislature created the Division as an appropriated agency. To encourage agency compliance, the Division does not charge for filing, review, or publication services. To encourage public access to and participation in the regulatory process, the Division publishes administrative rules free of charge on the Internet.